



BOARD OF ZONING APPEALS
601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114-1071
<https://planning.clevelandohio.gov/bza/cpc.html>
216.664.2580

MARCH 15, 2021

Under the conditions specified by law, the Board of Zoning Appeals will be conducting virtual meetings in a using the WebEx Platform. The Board of Zoning Appeals will also be live streamed on YouTube. The links for the live streams will be available before the meeting on our website at:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

In order to keep the WebEx session manageable we are asking individuals that wish to participate in the meeting to contact the City Planning office by phone or email by noon on March 13, 2021. Those individuals not planning to comment on any agenda item during the WebEx session are encouraged to view one of the live streams.

IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY contact the City Planning office and request access to the WebEx Board of Zoning Appeals Meeting please call 216.664.3826 or email us at cityplanning@clevelandohio.gov by You can also email Secretary Elizabeth Kukla at ekukla@city.cleveland.oh.us.

9:30

Calendar No. 21-027

2040 W. 47th Street

Ward 3

Kerry McCormack

11 Notices

PM Foundation INC, owner, proposes to build a parking lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(2)(G)(4) which states that a parking lot is first permitted in the Local Retail Business District; proposed location is in the Two-Family Residential District.
2. Section 349.08 which states where five or more accessory off-street parking spaces are provided and are located on a lot that is adjacent to Residence District, or that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the Residence District or a building containing dwelling units, by opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least four feet wide and densely planted shrubs that form a dense screen year-round. Such wall, fence or shrubs shall be at least three feet, but not more than six feet six inches in height. However, such wall, fence or shrubs located within twenty-five feet of the intersection of two or more streets or the intersection of an access driveway and a street, shall have a maximum height of three feet and a minimum height of two feet. (Filed February 22, 2021)

9:30

Calendar No. 21-028

5003 Herman Ave

Ward 15

Jenny Spencer

11 Notices

Philippe Bernard, owner, proposes to erect a 2 story frame detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

- 1.** Section 337.23(A) which states that an accessory garage shall not exceed 690 square feet and the appellant is proposing 852 square feet.
- 2.** Section 353.05 which states that in a Residence District an accessory building shall not exceed 15 in height and the appellant is proposing 17.33 feet. (Filed February 24, 2021)

9:30

Calendar No. 21-029

603 Herschel Court

Ward 3

Kerry McCormack

11 Notices

Brian Devine, owner, proposes to erect a 4 story frame single family residence with detached garage in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

- 1.** Section 355.04(b) which states that the maximum gross floor area shall not exceed half lot size or in this case 1,657 square feet; proposing 2,319 square feet.
- 2.** Section 357.09 (b)(2)(C) which states that the minimum required side yard is 3 feet; proposing 18 inches. Total of both required interior side yards is 6'; proposing 5'.
- 3.** Section 350.01(a) which states that maximum height allowed is 35'; proposing 35'-9".
- 4.** Section 357.08(b)(1) which states that the required rear yard is 40'; proposing 18' & 4". (Filed February 23, 2021)

9:30

Calendar No. 21-030:

1866 East 93rd Street

Ward 7

Basheer S. Jones

12 Notices

ARPI Development, Inc. proposes to erect a 42 unit apartment building on four parcels (owned by the City of Cleveland, the applicant and STA Realty Inc.) which are located in an E2 Multi-Family Residential District. The applicant appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1.** Section 349.04 which states that one accessory off-street parking space is required per dwelling unit: 42 parking spaces required; 30 parking spaces proposed.
- 2.** Section 341.02 which states that Approval of the City Planning Commission is required. (Filed February 23, 2021)

9:30

Calendar No. 21-035:

3907 Brookside Blvd.

Ward 16

Brian Kazy

15 Notices

Emerald Development & Economic Network Inc., owner, proposes to erect a new 1 story single family house in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that the minimum required interior side yard is 10 feet and 4 feet are proposed
2. Section 357.06 which states that the required front yard setback is 28.8 feet and 17.2 feet are proposed. (Filed February 26, 2021)

9:30

Calendar No. 21-037:

2168 W. 32nd Street

Ward 3

Kerry McCormack

17 Notices

Peter Francis, owner, proposes to construct a two-car garage with dwelling unit above on a 3,776 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application from the following sections of the Cleveland Codified Ordinances:

2. Section 337.08 which states that depth of required rear yard shall be not less than 20'-0"; an 8 foot rear yard is proposed.
3. Section 337.17 which states that in any use district a rear residential building may be erected if required front, rear, and side yards are provided and the distance between such buildings is not less than 40'; a 19 foot distance between buildings is proposed.
4. Section 355.04(a) which states that minimum lot area for a two family dwelling is 6,000 square feet; proposed lot area is 3,776 square feet.
5. Section 355.04 which states that the minimum floor area per dwelling unit is 950 square feet. The proposed living area is 560 square feet.
6. Section 357.09(b)(2) which states that required side yards' minimum distance to the property line is 3 feet where zero and 4' are proposed. Required aggregate side yard is 6 feet and the appellant is proposing 4.
7. Section 341.02(b) which states that City Planning Approval is required prior to the issuance of a building permit. (Filed February 23, 2021)